

Notice of Allowability

Application No.

09/482,154

Examiner

Nga B. Nguyen

Applicant(s)

HALL ET AL.

Art Unit

3692

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed on November 27, 2007.
2. ☒ The allowed claim(s) is/are 87-103.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____ |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____ |

DETAILED ACTION

1. This Office Action is the answer to the Amendment filed on November 27, 2007, which paper has been placed of record in the file.
2. Claims **87-103** are pending in this application.

Response to Amendment/Arguments

3. Applicant's election without traverse of Invention II (claims 87-103) in the reply filed on November 27, 2007, is acknowledged.

Examiner's Amendment

4. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in the interview with Mr. Joe Villeneuve on December 17, 2007.

Amending claim 102 as the following:

102. (Currently amended) A computer program product for use in a system for matching carrier capacities with shipper loads via a wide area network, the computer program product comprising at least one computer readable medium having computer program instructions embedded therein which are operable to cause at least one

computing device to perform ~~the~~ a method for enabling a carrier representative to manage units of carrier capacity associated with a carrier, each unit of capacity corresponding to specific carrier equipment having an associated equipment identifier, the method comprising: ~~of claim 87~~

presenting first carrier interfaces operable to enable the carrier representative to post selected ones of the units of capacity for viewing by shipper representatives, the first carrier interfaces being operable to receive a plurality of capacity parameters for each selected unit of capacity and facilitate generation of a listing for each selected unit of capacity;

presenting second carrier interfaces operable to enable the carrier representative to identify shipper loads, the second carrier interfaces being operable to initiate a search process according to at least one criterion specified by the carrier representative;

presenting third carrier interfaces operable to enable the carrier representative to select first ones of the units of capacity, assign a group identifier to the first units of capacity thereby relating the associated equipment identifiers, and generate a first bid for a first shipper load using the group identifier;

presenting fourth carrier interfaces operable to enable the carrier representative to generate a plurality of second bids corresponding to a plurality of second shipper loads, each of the second bids corresponding to a second one of the units of capacity, such that where one of the second bids is accepted, all others of the second bids become unavailable; and

presenting fifth carrier interfaces operable to enable the carrier representative to generate a third bid for a third shipper load designating a currently unavailable one of the units of capacity, the third bid being identified as a future bid, such that when the currently unavailable unit of capacity becomes available, the third bid is updated to a current bid.

Allowable Subject Matter/Reasons for Allowance

5. Claims **87, 102 and 103** are allowed over the prior arts cited records.

The closest prior arts are:

1) Chou (US 6,035,289) discloses techniques for the logistics industry which relate to "double auction trade building by matching...a plurality of electronically posted bids with a plurality of electronically posted ask records." Chou does not disclose assigning a group identifier to the plurality of units of capacity thereby relating the associated equipment identifiers and using the group identifier for generating a bid."

2) Pallakoff (US 6,269,343) merely indicates that a seller has the capability of specifying different unit prices depending on the lot size ordered by a customer.

3) CAPS Logistics (PR New Wire) generally describes a system by which shippers can organize their shipping requirements and evaluate carrier bids.

Therefore, it is clear from the description of Chou's, Pallakoff's and CAPS Logistics' s inventions that the prior arts do not considered the possibility of: In a system for matching carrier capacities with shipper loads via a wide area network, a computer-

implemented method for enabling a carrier representative to manage units of carrier capacity associated with a carrier, each unit of capacity corresponding to specific carrier equipment having an associated equipment identifier, the method comprising:

presenting third carrier interfaces operable to enable the carrier representative to select first ones of the units of capacity, assign a group identifier to the first units of capacity thereby relating the associated equipment identifiers, and generate a first bid for a first shipper load using the group identifier, as included in claims 87, 102 and 103.

6. Claims 88-101 are allowed because they are dependent claims of the allowable independent claim 87 above.

Conclusion

7. Claims **87-103** are allowed.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to examiner Nga B. Nguyen whose telephone number is (571) 272-6796. The examiner can normally be reached on Monday-Friday from 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3600.

9. Any response to this action should be mailed to:

Commissioner of Patents and Trademarks

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P.O. Box 1450

Alexandria VA, 22131-1450

Or faxed to:


(571) 273-8300 (for formal communication intended for entry),

or

(571) 273-6796 (for informal or draft communication, please label

"PROPOSED" or "DRAFT").

Hand-delivered responses should be brought to Knox Building, 501 Dulany
Street, Alexandria, VA, First Floor (Receptionist).


NGA NGUYEN
PRIMARY EXAMINER

January 7, 2008